

FRANKFORT/FRANKLIN COUNTY BOARD OF ZONING ADJUSTMENTS
July 15, 2008

Chairman Mitch Buchanan called the meeting to order at 5:30 p.m.
Recording Secretary Dawn McDonald called the roll.

MEMBERS PRESENT:	Mitch Buchanan
	William Gross
	Ryan Sell
	Michael Turner
	Barry Holder
	David Jones

MEMBERS ABSENT:	Martha Booth
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Chairman Mitch Buchanan introduced staff and swore in the staff and audience.

The first item of business was approval of the May 6, 2008 minutes. Mr. Buchanan made a motion to approve the minutes. The motion was seconded by Mr. Turner and carried unanimously.

The next item of business was a request from Robert & Lisa Tudor in accordance with Article 14 of The Franklin County Zoning Ordinance for a variance to allow a decrease in the front yard setback from 35-feet to 20-feet to allow an addition to the front of a single family dwelling on the property located at 125 Tuttle Lane, zoned "RR" Rural Residential.

Eric Cockley, Planner with Franklin County Planning and Zoning was present for the staff report. He stated that the applicant applied for a building permit and that during the application process, staff found that the original house was close to the setback therefore, requiring a variance for the addition to the front of the house. He stated that all findings were positive and recommended approval.

The applicants Robert and Lisa Tudor of 125 Tuttle Lane were present they passed out additional pictures and mentioned the water damage that has taken place as a result of the stopped construction. They also mentioned that they have a major issue with the wind.

After discussion, Mr. Holder made a motion to approve a variance to allow the decrease in the front yard setback from 35-feet to 20-feet for the property located at 125 Tuttle Lane. The motion was seconded by Mr. Gross and carried unanimously.

The next item of business was a request from Randy Eversole in accordance with Articles 4 and 19 of the Franklin County Zoning Ordinance for a

Conditional Use Permit to allow live entertainment and alcohol sales at the existing store/restaurant at 13060 US 421 North, a waiver from Article 4.312 (in regards to property abutting residentially used or zoned property, a variance of approximately 450 feet from Article 15.173(a) which requires a 500 foot minimum space between a “bar and tavern” and a residential zone use, and a waiver from Article 15.173(c) regarding access to an interior or frontage road, zoned “CL” Limited Commercial District.

Eric Cockley, Planner with Franklin County Planning and zoning was present for the staff report. Mr. Cockley stated that the applicant visited the Planning and Zoning office for approval of a business license. As a result of the application they found this code to be in affect. He mentioned that all the findings were positive and recommended approval with conditions.

The applicant Randy Eversole of 13060 U. S. 421 North, was present and stated that agreed with all the conditions and that he has all his licenses and a petition supporting it.

After discussion, Mr. Jones made a motion in accordance with Articles 4 and 19 of the Franklin County Zoning Ordinance for approval of a Conditional Use Permit to allow a bar/tavern at the property located at 13060 U.S. 421 North, and a waiver from Articles 4.312 and Article 15.173 based on the positive findings in the staff report with the following conditions: 1) the conditional use is granted to Mr. Randy Eversole to allow a restaurant with live entertainment, bar, wine and/or liquor by the drink sales; 2) the conditional use is permitted only at 13060 Bald Knob Road; 3) the conditional use is not transferable and any change in ownership or use will make this approval null and void; 4) that any signage meets the requirements of Article 13 Sign Regulations, and Article 19.016 Conditional Uses; and 5) the conditional use is contingent upon the approval of the waiver of Section 15.173. The motion was seconded by Mr. Gross and carried unanimously.

The next item of business was a request from Midwest Metals Corporation for a Conditional Use Permit to operate a metal recycling facility in the structure located at 955 Chenault Road, building C, zoned “IG” Industrial General.

Eric Cockley, Planner with Franklin County Planning & Zoning was present for the staff report. He stated that it was brought to staffs attention that this business was being operated at this location. They notified the owners that they were required to have a Conditional Use Permit for a metal recycling business. He stated that all the findings were positive and recommended approval with conditions.

Larry of Midwest Metal Corporation was present and stated that they agree with the conditions.

Martha Booth of 5344 Sleepy Hollow Road asked staff if they have a schedule for reviewing that the conditions are being met. Mr. Cockley stated that they mainly operate on a complaint basis.

Mr. Holder made a motion to approve the Conditional Use Permit to operate a metal recycling facility in the structure located at 955 Chenault Road. The motion was seconded by Mr. Sell and carried unanimously.

Mr. Turner made a motion to adjourn. The motion was seconded by Mr. Holder and carried unanimously.

Adjourn